

REMARKS

Rejections under 35 U.S.C. §112 of claims 1-6, 8, 10-17, 25 and 27-29

Claims 1-6, 8, 10-17, 25 and 27-29 stand rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 10, and 25 were amended to address the rejection. As amended the claims more clearly articulate the use of feedback data from multiple users *to isolate queries which are unsatisfactory*. Feedback data is used from multiple users for the purpose of determining the satisfaction value of the user. This data is examined to determine if a user, a group of users or queries with a specific characteristic or set of characteristics suffer from a lower user satisfaction value than users do in general. The data is used comparatively to determine if any user, group of users or queries satisfaction is out of line with the average user satisfaction value. Thus, Applicants respectfully request withdrawal of the rejection of claims 1, 10 and 25 under 35 U.S.C. §112.

Rejections under 35 U.S.C. §101 of claims 1-6, 8, 10-17, 25 and 27-29

Claims 1-6, 8, 10-17, 25 and 27-29 stand rejected under 35 U.S.C. §101 as non-statutory subject matter. Claims 1, 10 and 25 were amended to address the rejection. The claims were amended to further clarify the *improvement of a user's search quality*. Thus, Applicants respectfully request withdrawal of the rejection of claims 1, 10 and 25 under 35 U.S.C. §101.

Rejections under 35 U.S.C. §102 of claims 1-6, 8, 10-17, 25 and 27-29

Claims 1-6, 8, 10-17, 25 and 27-29 stand rejected under 35 U.S.C. §101 as being anticipated by Biebesheimer et al. (US Patent Application Publication No. 2002/0152190, "Biebesheimer"). In particular, the office action suggests that Beibesheimer's Adaptive Indexing Function inter alia are equivalent to the claimed system which identifies unsatisfactory search results for a group of users to generate better search responses. Without conceding the merits of the rejection, Applicants have amended independent claims 1, 10 and 25 to clarify the claimed embodiments.

As amended, claims 1, 10 and 25 recite an examination of queries suffering from low user satisfaction that include specific characteristics or a group of characteristics. By grouping the user satisfaction data according to specific characteristics (e.g., queries from a specific country), identification of problems which may appear sporadically over a ***number of users*** or queries can be identified and addressed.

The Biebesheimer reference teaches that the Adaptive Indexing Function is a supervised learning algorithm that does not teach the isolation of problematic search terms of multiple users in order to improve the quality of searches. Biebesheimer's Adaptive Indexing Function implementation is based on ***a single user's data***. A single user's "Historical User Interaction Record" is used to refine the search quality ***for the same user only***. The Historical User Interaction Record includes a users' prior queries, responses and interactions with the system. (Paragraph [0032]). The Adaptive Indexing Function makes inferences and draws conclusions regarding the individual user's preferred resource characteristics. *Id.* A specific instance of the Resource Indexing Function or user defined search engine is improved by the Adaptive Indexing Function and associated in a database directly with the individual user. Therefore, the individual user associated with the specific instance of the Resource Indexing Function will benefit from the supervised learning algorithm.

Further, the exclusionary filters described in the office action which isolate unsatisfactory search queries apply to the single individual user, making no improvement in the search experience of other search engine users. The Adaptive Indexing Function cannot identify problematic searches which appear sporadically ***over a large number of users because it is directed at improving a single user's search results***. For example, the same search performed by multiple users will not be improved by the Adaptive Indexing Function even the Adaptive Indexing Function was applied to the search through an individual users interaction.

Thus, Applicants respectfully submit that independent claims 1, 10, 25 patentably define over the reference as applied. Accordingly, Applicants request withdrawal of the rejection for claims 1-6, 8, 10-17, 25 and 27-29 under U.S.C. §102(b) over Biebesheimer.

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Conclusion

In view of the foregoing, applicant respectfully submits that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Vincent J. Roccia at (215) 568-3100, to discuss resolution of any remaining issues.

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